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BSH HOME APPLIANCES CORPORATION  
INTELLECTUAL PROPERTY DEPARTMENT  
100 BOSCH BOULEVARD  
NEW BERN, NC 28562

EXAMINER
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OSTERHOUT, BENJAMIN LEE

ART UNIT	PAPER NUMBER
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1792

NOTIFICATION DATE	DELIVERY MODE
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03/16/2010

ELECTRONIC

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## **DETAILED ACTION**

### ***Response to Request for Reconsideration***

Examiner would like to note that Applicants' amendments will not be entered due to the amendments in claims 18 and 30 changing the scope of the claims which requires further search and consideration of the patentability of said claims.

Applicants' argue the propriety of the Office Action dated 09 December 2009 based upon the references used in examination, rather than the order of the claims, and Examiner will respond to the arguments in like manner for the sake of clarity.

Applicants' argue that the Park Reference does not teach an electronic controller for controlling rinsing program sequences as in claim 13. Examiner argues that the controller of Park inherently controls rinsing sequences. One of ordinary skill in the art realizes that rinsing sequences are part of a routine program that washing machines use in order to clean clothes, ware, etc. and that Park teaches an electronic controller for controlling washing in a body (not shown, page 6, ll. 20-22).

Applicants' argue that the Park reference does not teach a programmable control module including electronic components and at least one microprocessor and/or memory means as in claim 17. Examiner finds that Park teaches that the programmable control module is a circuit board (Fig. 4, part 20) which one of ordinary skill in the art understands to include electronic components and furthermore Park anticipates the possibility of shorting out of electronic components thereby preferring to use a structure that inhibits the flow of water to the electronic components (page 8, ll.

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25-29). Furthermore one of ordinary skill realizes that some form of memory means is inherent as the same washing process is able to be performed repeatedly and such sequence is stored in the circuit board.

Applicants' argue that the Park reference does not teach a programmable control module containing an operating system that programs the control module as in claim 18. Due to Applicants' amendment Examiner has not had the opportunity to consider this claim limitation. Examiner finds that said claim limitation changes the scope of the claim in that now Applicants' are claiming that said operating system directly programs the control module, therefore to consider the claim language would require a new search and a new consideration by the Examiner. Examiner also finds that Applicants' have not provided sufficient reason why arguments related to claim 18 were not presented before.

Applicants' argue that the Park reference does not teach at least one electrical connection for the electrical connection of the programmable control module with the appliance, the electrical connection being embodied as a group plug with a plurality of electrical contact. Examiner finds that Park teaches that the circuit board (programmable control module, Fig. 4, part 20) is a part of the controller for controlling washing in a body (not shown, page 6, ll. 20-22) and therefore is connected to the washing machine. One of ordinary skill in the art at the time of the invention would understand that since the controller is a type of electronic controller it uses electricity in order to send/receive input and output, therefore the controller clearly has an electrical connection to the washing machine. Next, one of ordinary skill realizes that the plug

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connector in Fig. 4, part 30 provides the electrical connection of the PC with the appliance through the programmable control module. Finally, Examiner finds that the claim language in this claim has been narrowed in claim 22 and is not the same as argued above, rather Applicants' have limited the connection to a group plug with a plurality of contacts.

Applicants' argue that the Oyler reference does not cure the deficiencies of Park and that Oyler teaches a different location for the placing of a controller than that claimed by Applicants' as in claims 24, 26, 27, 29, and 31. Applicants' argue that said placement is not obvious because said placement allows for the final testing of the dishwasher after production and that this reduces the cost of production. First, Examiner has dealt with Park as above. Second, Examiner finds that reducing costs is always a driving factor in industry. Furthermore Examiner finds that Park teaches, as modified with Oyler, that said controller may be reached from the back of the machine without dismantling the machine. Therefore, Examiner is not convinced of Applicants' secondary consideration.

Applicants' argue that the Oyler reference does not teach a programmable control module containing an operating system that programs the control module as in claim 30. Due to Applicants' amendment Examiner has not had the opportunity to consider this claim limitation. Examiner finds that said claim limitation changes the scope of the claim in that now Applicants' are claiming that said operating system directly programs the control module, therefore to consider the claim language would require a new search and a new consideration by the Examiner. Examiner also finds

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that Applicants' have not provided sufficient reason why arguments related to claim 30 were not presented before.

Applicants' argue that the Anderson reference as modifying Park does not cure the deficiencies of Park. Since Examiner has dealt with Park as above, Applicants' argument is moot.

Applicants' argue that the Wattrick reference as modifying Park does not cure the deficiencies of Park. Since Examiner has dealt with Park as above, Applicants' argument is moot.

Applicants' argue that the Harrison reference as modifying Park does not cure the deficiencies of Park. Since Examiner has dealt with Park as above, Applicants' argument is moot.

/Joseph L. Perrin/  
Joseph L. Perrin, Ph.D.  
Primary Examiner  
Art Unit 1792

/BLO/

Benjamin L. Osterhout

03 March 2009